

TOWN OF GUILFORD

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BUREAU OF WATER PROTECTION AND LAND REUSE
THE BUREAU CHIEF

SETTLED IN 1639

FEB 04 2010



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THE OLD STONE HOUSE

February 2, 2010

Mr. Paul E. Stacey,
Department of Environmental Protection,
Bureau of Water Protection and Land Reuse, Planning & Standards Division,
79 Elm Street,
Hartford, Connecticut, 06106-5127

Dear Mr. Stacey:

As the elected official representing Guilford, I am writing to comment on the stream flow regulations proposed by the Department. As noted by the South Central Connecticut Regional Water Authority (SCCRWA), the water utility serving my town, water plays a vital role in the health and welfare of our citizens in ways ranging from disease prevention and fire suppression, to attracting industry and jobs. As currently drafted, the regulations do not achieve an acceptable balance between human water needs and the environment. I cannot support the regulations in the current format. The concerns that impact my citizens are:

Unfair Burden to Water Customers

The SCCRWA estimates that 15 million to 20 million dollars of expenditures are necessary to comply with the regulations. To fund the expenditures, SCCRWA would need to increase water rates borne by the rate-payers, my constituents. Instead, the cost should be shared amongst water rate-payers and other constituents that will potentially benefit from the stream flow regulations such as the agricultural community, fishermen, hikers, canoeists, and private well users.

Inadequate Consideration of Water Needs for Residents and Businesses

While much work has been accomplished by the DEP on the needs of aquatic life, little has been done to quantify the amount of water needed now and in the future by the people and businesses of the state. This long-term planning effort should be completed prior to adoption of these proposed environmental regulations.

Uncertainty over Regulation's Impact to Connecticut's Economy

The DEP has not adequately identified or quantified the costs of implementing and complying with the regulation to the state's citizens, state agencies, and municipalities, among others, and how these costs will affect Connecticut's future economic development.

Uncertainty over Future Regulatory Requirements & Compliance Costs

The current cost estimate for compliance by SCCRWA as noted above is based upon an assumed classification of the regulated streams. However, the DEP will not complete the stream classification process until well after the regulations are adopted. If the actual classifications are not in line with the SCCRWA's assumptions, these costs could potentially exceed 100 million dollars borne, again, by the water rate-payers. For this reason the proposed regulations are pre-mature and need to be delayed until the DEP provides adequate certainty as to how streams will be classified. Alternatives include classifying streams associated with public water supply sources as Class 3 or 4 by rule or delaying the regulations until after the DEP has completed the stream classification process.

Please give due consideration to the serious concerns raised above as you proceed to address the public hearing testimony in the final regulation.

Sincerely,

Joseph S. Mazza
First Selectman
Town of Guilford